

Know why Fredia's so happy? Because she knows where to find the most happening hot spots in town. Fredia offers choices places that accommodate smokers and non-smokers. For supper times, try this number:

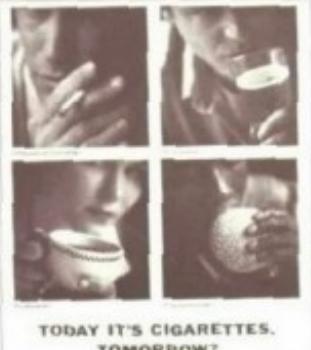
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Why Californians Should Vote Yes on Prop 188



Cheerful p-o-s materials, cutesy ads, and informational brochures are staples in the tobacco industry's artillery against anti-smoking legislation.

extending the dinner hours to compensate.

Not all operators oppose restrictions. Even limited to the bar, smoking bothers diners at Aspen, Colorado's Mezzaluna restaurant, according to manager Grant Sutherland, and bartenders hate the fact that customers are always jumping up from tables to smoke at the bar. Sutherland doesn't view the loss of ingesting customers as missed dollars and coffee sales, but as a way to free up tables for faster turnover. He believes a total ban is in the near future and, he says, "I welcome it."

A growing number of operations avoid the entire issue by preemptively banning smoking regardless of local law. For example, Eugene, Oregon's six-month-old brewpub Fields, provides ashtrays outside the front and back doors and nowhere else. "We've had a great customer response" to the no-smoking policy, says public relations director Mark Weston. "It would hurt our business if we

allowed [smoking]." Customers who expect a cigarette with their microbrew can head across town to the Steamboat Brewery and Cafe, which devotes about one-third of its seats to a smoking area—though even those seats are often filled with nonsmokers these days. General manager Jeff Passerotti says the smoking section initially comprised three-fourths of the seats, but as demand has shrunk, so has the section.

While some businesses choose to exceed them, at the very least state laws seem to level the playing field and prevent the loss of business to restaurants in neighboring, more smoke-friendly towns. Debra Leach, executive director of the National Licensed Beverage Association, counters that even state laws give a strong advantage to what may be the off-premise market's newest competitor—home. Parenthood, the growth of home entertainment systems, concern about drunken driving, and how smoking bars are all making a night at home more attractive than a night on the town for many adults.

Even in states with strict smoking rules, there's always a loophole. In Utah, for example, smoking is not allowed in restaurants, but it is permitted in private clubs—and only private clubs are allowed to serve alcohol. Patrons in search of a drink and a smoke just pay their dollar Hotel membership fee and they're perfectly legal. In Vermont, smoking is not banned in bars, or in restaurants with a certain license—an investment of a few dollars per year for the establishment, regardless of whether a note of music is ever heard.

Operations in states with liberal policies can't necessarily breath easy, since stricter local laws can supersede state laws. This is rampant in California, where the majority of cities put rules on top of A.B. 13. San Luis Obispo, for example, banned smoking entirely in public places; in Davis, smoking within 20 feet of the entrance to a commercial establishment is illegal.

Sometimes tough local restrictions are removed to fall in line with state laws. This was the case in Beverly Hills several years ago. The city banned smoking in all restaurants except those in hotels, and the free-standing restaurants' loss of business to hotels and neighboring towns eventually had too much impact to ignore. Now the city follows A.B. 13. ➤

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